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SUBJECT: RUSSIA: BURY HITLER, NOT STALIN

¶1. (SBU) Summary: On May 19, the Kremlin announced that it had formed a "Commission to Oppose Historical Falsification," to address any attempts to "cast doubt on our people's victory in World War II." This decision followed a May 7 proposal in the State Duma to introduce amendments criminalizing denial of the Soviet victory over the Nazis, as well as "rehabilitation of Nazism." Proponents of the legislation painted it as the equivalent of laws found in many Western countries criminalizing Holocaust denial. However, others questioned the need for the legislation, and called the proposal a veiled attempt to intimidate former Soviet neighbors away from any statements or actions deploring Soviet occupation of their country at the end of World War II. Human rights leaders accused the GOR of exploiting patriotic sentiment to link the concepts of national strength and autocratic rule, which could facilitate crackdowns on civil society. Liberal and moderate commentators viewed both the legislation and the Commission as potential steps backward from Medvedev's recent promising moves towards increasing GOR tolerance of dissent. End Summary.

Nazism is bad, OK?

¶2. (SBU) In the wake of his May 9 Victory Day video blog statements against "historical revisionism," President Medvedev on May 19 formed a "Commission to Oppose Historical Falsification," to combat any attempts to "cast doubt on our people's victory in World War II." The Commission, expected to meet twice a year, will draw on GOR bodies for its membership, including the Ministry of Defense and the FSB. This decision followed a May 7 proposal in the State Duma to introduce amendments criminalizing denial of the Soviet victory over the Nazis, as well as "rehabilitation of Nazism." The amendments would impose a 300,000 ruble fine or three years in prison as punishment, increasing to 500,000 rubles or five years in prison if the offender is a public servant or works for a media outlet. The proposal would also apply to foreigners, if they commit the offense on Russian territory. United Russia Deputy Valeriy Ryazanskiy told the daily Vedomosti May 6 that the Supreme Court had already approved the amendment.

¶3. (SBU) Proponents of the Commission and of the legislation, such as United Russia Deputy and Emergency Ministry head Sergey Shoygu, painted it as the equivalent of laws found in many Western countries criminalizing Holocaust denial. Announcing the proposal in April, First Deputy of the Duma Committee for CIS Affairs Konstantin Zatulin told Radio Liberty that "we had to return to measures to allow us to struggle against the attempts to rehabilitate Nazis and their collaborators." However, in January, Medvedev had already made clear the Kremlin's intention to tie this issue to the controversy over the region's Soviet past, telling a state council formed for the 65-year anniversary of the World War II victory that Russia could not accept "distortion of the undeniable and decisive contribution that the Red Army and Soviet Union brought in liberating Europe from fascism." On

May 20, Kremlin sources admitted to the moderate daily Kommersant that "geopolitical" concerns were behind both the Commission and the legislation, given the propensity of "some former Soviet republics" to downplay the Soviet role in defeating Nazism. As drafted, the proposed law would apply not only to individual citizens, organizations, parties, movements, or commercial structures, but also to state/government structures and states, giving Estonia, Latvia, and Ukraine as examples.

"Serving foreign policy interests"

¶4. (SBU) Given these statements, and given the explicit application of the law to foreign citizens and governments, a number of critics called the proposal a thinly veiled attempt to intimidate former Soviet neighbors away from any actions designed to deplore Soviet occupation of their country at the end of World War II. In recent years, former Soviet Republics have derided Soviet victories in World War II as the beginning of occupation, and Russian leaders have responded by warning countries with significant Russian minorities that they will defend their rights. The 2007 controversy surrounding Estonia's decision to move a memorial to Soviet soldiers out of the center of Tallinn presaged a series of bilateral spats with neighboring countries over treatment of Soviet war memorial and grave sites, as well as sharper accusations of tolerance for neo-Nazism and fascist movements. Deputy head of the State Duma Committee on Social and Religious Organizations Sergey Markov, a member of the Commission, complained to Kommersant on May 20 that neighboring countries such as Ukraine, Latvia, and Estonia

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"give Nazis awards and medals," while Ukraine exaggerated the scale of the "holodomor" famine (which Ukraine claims was a deliberate policy of mass killing by Stalin). Polish attempts to examine a massacre of Polish officers by Soviet secret police during World War II have also given GOR authorities heartburn, and led to a diplomatic impasse over the Polish request for further information. Even the liberal Russian News Service editor Sergey Dorenko told us, by way of criticizing NATO enlargement, that "20 years ago Nazis didn't march in the Baltics, and now they do."

¶5. (SBU) The proposed legislation may subject visitors to Russia to arrest if they have previously committed the offense outside of Russia. In such a scenario, it would be possible even for heads of state to face imprisonment upon arriving in Russia for a diplomatic visit. Following logically from this, the Commission has also mentioned the possibility of breaking diplomatic ties with the government of any country deemed to have offended Russia in this area.

¶6. (SBU) A number of commentators have questioned the logic and motivation of the legislation and the Commission. Gazeta.ru quoted lawyer Andrey Knyazev expressing skepticism that the law could be enforced, as it would be difficult to prove that someone had violated it. Historian Aleksandr Dyukov told Vedomosti that the law was pointless, since the Nuremberg trials had already established the scale of the Nazis' crimes, and that very few people disagreed. Moderate commentator Fyodor Lukyanov wrote that the proposed law is "simply a populist move," designed to score political points and to "serve the foreign policy interests of Russia" by putting pressure on its neighbors. Indeed, many doubted the legality of the portion of the proposal calling for the prosecution of foreigners for acts or statements made outside of Russia. Even the pro-Russian Ukrainian opposition found this idea strange; Rada Deputy from the Party of Regions Valeriy Kovalev told grani.ru, "There is international law. There are corresponding agreements between states. Evidently, this measure is not quite proper legally."

"This is really about Stalin"

¶7. (SBU) Journalist and Human Rights Council member Svetlana Sorokina told us May 19, "Governments never miss a chance to exploit public patriotism, especially in this country, especially around the time of Victory Day." However, according to Sorokina, the GOR's recent activity goes beyond simple jingoism. "They may say they are worried about people rehabilitating Hitler," she said, "but this is really about rehabilitating Stalin." A number of commentators have noted that among Putin's early acts as President in 2000 was to change the Russian anthem back to the Soviet one, and to place Stalin's name at the top of a list of World War II heroes. Opposition figures made their suspicions of the law explicit, with representatives of both Yabloko and Right Cause suggesting that the legislation should also criminalize the rehabilitation of Stalinism.

¶8. (SBU) In contrast to much of the former Communist world, in Russia the Soviet past is a source of pride as well as pain. A walk through Moscow's streets, or a ride through its Metro system, reveals a preponderance of hammers-and-sickles, statues of Lenin, and Communist-era murals praising Soviet workers -- as well as the unity and fellowship of Soviet republics. Oborona activist Oleg Kozlovskiy asked rhetorically in a May 19 conversation, "Imagine walking around Berlin and still seeing swastikas everywhere." However, for most Russians any comparison between Hitler's killings and those of Stalin is anathema. Sorokina, a consistent critic of GOR human rights policies, said that a majority of Russians are sensitive to international criticism of Soviet excesses, and during our conversation she herself downplayed Stalin's anti-Russian crimes.

¶9. (SBU) In this environment, our human rights contacts and other commentators believe that the law could ease the path for the GOR to tighten restrictions on civil society. Irina Karatsuba of Moscow State University wrote that "this is an attempt to shut the mouth" of independent experts, historians, journalists, activists, and groups like 'Memorial' who "keep the memory of past repressions alive." Oleg Orlov of Memorial agreed that the Commission was an attempt "to halt any objective view of what really happened in Russia's past." Moscow Helsinki Group Director Lyudmila Alekseyeva told us May 20, "if the Commission were really focused on historical accuracy, it would have some historians. There is not one real historian in the group, only politicians and the FSB." She also noted that Zatulin, the author of the draft law, made a name for himself by crushing dissident groups in the 1970s. Nikita Sokolov, an

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editor with the liberal daily New Times, echoed this thinking, calling the decision to include the FSB and other intelligence agencies "perplexing," and adding, "One can easily guess where they would look for falsifications." Several editorials noted that the proposed legislation appears to conveniently ignore Russian's own homegrown neo-Nazis and skinheads, pointing out that historians would not ignore the Molotov-Ribbentrop pact of 1939, which allowed both Russia and Germany to roll into Eastern Europe.

Comment

¶10. (SBU) Medvedev's recent liberal gestures, such as his interview with the opposition paper Novaya Gazeta and his reconstitution of the Presidential Council on Human Rights, buoyed hopes among some liberals of a coming thaw in GOR policy. However, Medvedev's decision to form the Commission is a reminder of the conservative, nationalistic attitude toward Russia's near abroad and its Soviet past that still prevails throughout Russian society, from the Presidential level down to the average citizen. The legislation thus far has not moved forward in the State Duma, and the Commission's role remains unclear beyond "coordination" of an undefined "process." Nonetheless, we will closely monitor this

potentially troubling trend in GOR policy.
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